

Remarks:

These remarks are responsive to the Office action dated October 7, 2004. Prior to entry of this amendment, claims 1-39 remained pending in the application. By this amendment, applicants have cancelled claims 2, 19, 20, 21, 37 and 39 without prejudice, and added new claims 40 and 41.

In the October 7, 2004 Office action, claims 1-18, 23, 33, and 39 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention. Claims 1, 15, and 39 were rejected under 35 U.S.C. 102(b) as being anticipated by Sasaki (US 5,815,183), claims 1, 16, 18, and 39 were rejected under 35 U.S.C. 102(b) as being anticipated by Mochizuki et al. (US 6,264,314), claims 1, 15-16, 18, 29-33, and 39 were rejected under 35 U.S.C. 102(e) as being anticipated by Ujita et al. (EP 0 562 717), claims 1, 5-7, 12-14, 29-33, and 38-39 were rejected under 35 U.S.C. 102(b) as being anticipated by Suenaga et al. (US 6,612,689), and claims 19-28 were rejected under 35 U.S.C. 102(b) as being anticipated by Childers et al. (US 6,170,937) Claim 17 was rejected under 35 U.S.C. 103(a) as being unpatentable over Suenaga et al.

Claims 2-4, 8, 9, 10-11, and 34-37 were indicated to be allowable if rewritten to overcome the rejections under 35 U.S.C. 112, second paragraph.

Applicants respectfully disagree with the Examiner's rejections under 35 U.S.C. § 102 and under 35 U.S.C. § 103. Nevertheless, in the interest of furthering prosecution of the claims indicated to be allowable if rewritten in independent form, applicants have amended the claims in accordance with the Examiner's indication of

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allowable subject matter. Such amendments are made without prejudice to further prosecution in this application or any related application.

Applicants respectfully request reconsideration of the application under 37 C.F.R. § 1.111, and allowance of the pending claims.

Rejections under 35 U.S.C. § 112

Applicants thank the Examiner for identifying the potentially indefinite wording found in claims 1, 23 and 39. Claims 1 and 23 have been amended to recite "an operational position" instead of a "desired position." This change is believed to fully rectify any indefiniteness that may have been present in original claims 1 and 23. Accordingly, rejection of claims 1 and 23 under 35 U.S.C. § 112, second paragraph, should be withdrawn. Claim 39 has been cancelled without prejudice, thus rendering moot the rejection of that claim under 35 U.S.C. § 112.

Claim 33 has been amended to recite a "leading portion" instead of a "front portion." Proper antecedent basis exists for a "leading portion," and therefore, rejection of claim 33 under 35 U.S.C. § 112 should be withdrawn.

Rejections under 35 U.S.C. § 102

Responsive to the Examiner's indication that original claims 2 and 37 were allowable over the prior art, the subject matter of original claim 2 has been incorporated into original claim 1 and the subject matter of original claim 37 has been incorporated into original claim 29, thus rendering amended claims 1 and 29 allowable. Furthermore, because claims 3-18 depend from amended claim 1, and claims 30-36 and 38 depend from claim 29, those claims are allowable for at least the same reasons as amended claims 1 and 29, respectively.

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Because claims 1 and 29 have the same scope as original claims 2 and 37, respectively, each of which the Examiner identified as being allowable, rejection of independent claims 1 and 29 under 35 U.S.C. § 102 should be withdrawn.

In addition, responsive to the Examiner's indication that original claim 9 was allowable over the prior art, the subject matter of original claim 9 has been rewritten in independent form as new claim 41. Therefore, new claim 41 is allowable. Claims 22-28 have been amended to depend from amended new claim 41, are allowable for at least the same reasons as claim 41.

Similarly, original claim 8 has been rewritten in independent form and submitted as new claim 40. Because the Examiner indicated that original claim 8 was allowable over the prior art, new claim 40 is also believed to be allowable.

Furthermore, claims 3-18, 22-28, 30-36 and 38 depend from claims which have been amended in accordance with the Examiner's indication of allowable subject matter. For at least these reasons, the rejection of claims 3-18, 22-28, 30-36 and 38 under 35 U.S.C. § 102 should also be withdrawn.

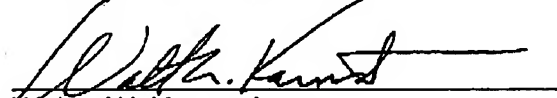
Rejections under 35 U.S.C. § 103

As described above, claim 17 depends from amended claim 1. Amended claim 1 has the same scope as original claim 2, which the Examiner identified as being allowable. Therefore, amended claim 1 is allowable, as are any claims that depend from amended claim 1, including claim 17. Accordingly, rejection of claim 17 under 35 U.S.C. 103 should be withdrawn.

If the Examiner has any questions, or if a telephone interview would in any way advance prosecution of the application, please contact the undersigned attorney of record.

Respectfully submitted,

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CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to Examiner A. Vo, Group Art Unit 2861, Assistant Commissioner for Patents, at facsimile number (703) 872-9306 on December 21, 2004.



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